

## **REMARKS**

The rejections presented in the Office Action dated March 12, 2004 have been considered.

Claims 1, 7, 9, and 11 are amended to introduce the term, "DPS", with "data processing system".

Claims 2, 15, 20, 21, and 22 are canceled without prejudice.

The Office Action fails to establish that claims 1, 2, 4-14, 16, and 19-22 are anticipated by US Patent No. 6,264,104 to Jenkins et al. (hereinafter Jenkins) under 35 U.S.C. § 102(b). The rejection is respectfully traversed because the Office Action does not show that all the limitations in the claims are taught by Jenkins. However, claims 1, 7, 8, 10, 11, 12, and 19 are amended to include further limitations for the purpose of expediting prosecution.

Claims 1, 7, 11, 12, and 19 now include limitations of advertising information, from a vendor data processing system, being provided to the EFTPOS terminal arrangement. As explained further below in the rejection of claims 15 and 17, these limitations are not obvious over Jenkins. Claim 8 now includes limitations of storing the stored value data set in an information storage card by the EFTPOS terminal arrangement. The rejections of these claims over Jenkins is, therefore, moot.

Claims 8, 9, and 10 include limitations related to a stored-value data set being stored in an information storage card by the EFTPOS terminal. It is respectfully submitted that no teaching of Jenkins has been cited to show these limitations, nor does Jenkins appear to suggest this feature. Therefore, claims 8-10 are thought to be allowable over the cited art.

The Office Action fails to establish that claims 15 and 17 are unpatentable under 35 U.S.C. § 103(a) over Jenkins. The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by the references and fails to provide a proper motivation for modifying the teachings of Jenkins.

Claim 15 is canceled, with similar limitations related to providing and displaying advertising information from a vendor data processing system on an EFTPOS terminal, now being included in various independent claims. The Office Action does not establish that these limitations are obvious over Jenkins.

It is respectfully submitted that, contrary to the allegations in the Office Action, providing advertising information at an EFTPOS terminal from a vendor data processing system is not thought to be common. If this feature is common, then specific evidence is respectfully requested so that the matter may be further considered. Otherwise, the rejection should be withdrawn because it is conclusory and without support.

The alleged motivation for modifying Jenkins is also conclusory. The alleged motivation simply uses the limitations of the present claims to supply the motivation. It is respectfully submitted that the Office Action ignores the context in which the advertising information is provided, i.e., from a vendor's data processing system and to an EFTPOS terminal. No evidence has been provided that this feature in an EFTPOS would be obvious. Therefore, the alleged motivation is improper.

The rejection of claim 17 over Jenkins should be withdrawn because the Office Action fails to show all the limitations are suggested by the combination and fails to provide a proper motivation for modifying Jenkins.


The Office Action fails to establish that claims 3 and 18 are unpatentable under 35 U.S.C. § 103(a) over Jenkins as applied to Claims 1 and 12, and further in view of US Patent No. 6,145,739 to Bertina et al. (hereinafter Bertina). The rejection is respectfully traversed because the Office Action has not established a *prima facie* case of obviousness. The Office Action does not show all the limitations in the references and does not provide a proper motivation for combining the references. However, the base claims from which claims 3 and 18 depend are amended, and the rejection is therefore moot.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested in view of the remarks set forth above.

A Petition for a one-month extension of time accompanies this amendment. No further extension of time is believed to be necessary for consideration of this response. However, if an extension of time is required, please consider this a petition for a sufficient number of months for consideration of this response. If there are any additional fees in connection with this response, please charge Deposit Account No. 50-0996 (HPCO.040PA).

Respectfully submitted,

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